

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. CV 09-7114 - JVS (RNBx) Date January 21, 2010

Title Construction Laborers Trust Funds etc. v. Dale G. Yeager, et al.

Present: The James V. Selna
Honorable

Karla J. Tunis
Deputy Clerk

Not Present
Court Reporter

Attorneys Present for Plaintiffs:

Not Present

Attorneys Present for Defendants:

Not Present

Proceedings: (In Chambers)

**ORDER TO SHOW CAUSE RE DISMISSAL
FOR LACK OF PROSECUTION**

The Court, on its own motion, hereby ORDERS plaintiff(s) to show cause in writing no later than **February 16, 2010**, why this action should not be dismissed for lack of prosecution. As an alternative to a written response by plaintiff(s), the Court will consider the filing of one of the following, as an appropriate response to this OSC, on or before the above date:

X **Answer by the defendant(s) or plaintiff's request for entry of default.**

Absent a showing of good cause, an action shall be dismissed if the summons and complaint have not been served upon all defendants within 120 days after the filing of the complaint. Fed. R. Civ. P. 4(m) The Court may dismiss the action prior to the expiration of such time, however, if plaintiff(s) has/have not diligently prosecuted the action.

It is the plaintiff's responsibility to respond promptly to all orders and to prosecute the action diligently, including filing proofs of service and stipulations extending time under Rule 55 remedies promptly upon default of any defendant. All stipulations affecting the progress of the case must be approved by the Court. Local Rule 7-1

The Court hereby sets the Order to Show Cause for hearing on February 22, 2010 at 11:30 a.m. The Court further continues the Scheduling Conference from January 25, 2010 to February 22, 2010 at 11:30 a.m

Initials of Preparer

_____ : _____ 00
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